

RESPONSE TO RESTRICTION REQUIREMENT
U.S. Appln. No. 09/787,360

REMARKS

On page 2 of the Office Action, the Examiner issues a Restriction Requirement under 35 U.S.C. § 121 to one of the inventions of the following groups:

- Group 1 - Claims 1-6 and 13, drawn to a gene and oligonucleotide;
- Group 2 - Claims 7-8, drawn to an expression product;
- Group 3 - Claim 9, drawn to an antibody;
- Group 4 - Claim 10, drawn to an expression product having a physiological activity;
- Group 5 - Claims 11-12, drawn to a therapeutic and prophylactic composition;
- Group 6 - Claims 14 and 19, drawn to a gene therapy composition and a method of use;
- Group 7 - Claim 15; drawn to a gene-specific probe;
- Group 8 - Claim 16, drawn to a method of screening for candidate compounds; and
- Group 9 - Claims 17-18, drawn to a method for therapy involving administration of a protein.

The Examiner contends that the inventions listed in Groups 1-13 (sic 1-9) do not relate to a single general inventive concept.

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Accordingly, Applicants hereby elect the invention of Group 3, i.e., Claim 9 (new Claims 19-22) without traverse.

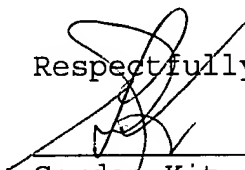
As to non-elected Claims 1-8 and 10-18, these claims are hereby cancelled without prejudice to the filing of a Divisional Application(s) on the non-elected invention(s).

In paragraph 2, on page 2 of the Office Action, the Examiner issues an Election of Species Requirement. Specifically, the Examiner states that Claims 1, 10-11 and 17 are generic. The Examiner requires Applicants to elect a specific species of physiological activity of the protein, as recited in Claims 1 and 10; or a specific species of pathological condition, as recited in Claims 12 and 18.

Accordingly, Applicants hereby elect the physiological activity: brain memory-forming activity.

The Examiner is invited to contact the undersigned at his Washington telephone number on any questions which might arise.

Respectfully submitted,



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A P P E N D I X

Marked-up Version of Changes

IN THE CLAIMS:

Claims 1-18 are being cancelled.

New Claims 19-22 are being added.